

**RENT BOARD**  
**List of Rent Ordinance Amendments—7/17**

2 SUBJECT: Following is a list of all amendments to the Rent Ordinance:

3 <b><u>ORD. NO.</u></b>	4 <b><u>DATE SIGNED</u></b>	5 <b><u>RENT ORD. SECTIONS</u></b>	6 <b><u>AMENDMENTS</u></b>
7 276-79	8 6/13/79*	9 Ch. 37	10 Original Law enacted.
11 295-79	12 6/22/79*	13 37.8, 37.9	14 Providing for filing procedures for tenants receiving rent increases between 6/13/79 and 7/31/79 and clarifying evictions.
15 442-79	16 8/31/79*	17 37.3	18 Regarding base rentals for purposes of computing increase (applying Prop. 13 savings).
19 136-80	20 4/10/80*	21 37.3	22 Providing that landlords and tenants be given adequate notice of rent increase guideline in effect on 4/15/80 in order to comply with notice and appeal procedures.
23 172-80	24 5/2/80*	25 37.23	26 Extending law to 11/4/80.
27 197-80	28 5/9/80	37.2(k)&(m)	Providing for 6-mo. owner residency for exemption; and tenant status for subtenancy.
339-80	7/3/80	37.11	Extending Citizens Housing Task Force to 12/31/80.
358-80	7/25/80	37.3, 37.7, 37.8, 37.9, 37.10	Modifying rent increase guidelines to once every 12 mos; allowing Board rules requiring capital improvement certification where independent appraisal found necessary; clarifying directory time limits; permitting rent offsets to implement Board decisions; permitting remands to hearing officers and Board hearings pursuant to appeals; adding advice clause, honest intent and permits eviction requirements; adding civil remedy; and increasing criminal fine to \$2,000.
362-80	8/7/80	37.11	Adding 2 members in private housing industry to Citizens Housing Task Force.
468-80	9/30/80	37.12	Extending law to 12/1/81.
539-80	11/11/80	37.9	Applying Section 37.9 as of 8/24/80.
509-81	10/19/81	37.12	Extending law to 4/1/82.
4-82	1/8/82	37.9	Providing clarification with respect to evictions.

26 \* Passed as emergency legislation and effective on the date signed by the Mayor. Other Ordinances listed are effective 30 days after date signed by the Mayor.

	<b><u>ORD. NO.</u></b>	<b><u>DATE SIGNED</u></b>	<b><u>RENT ORD. SECTIONS</u></b>	<b><u>AMENDMENTS</u></b>
1	72-82	2/19/82	37.7	Providing for energy conservation passthrough (ref. Housing Code, Art 12 Section 1201).
2				
3	77-82	3/2/82	37.2, 37.3, 37.8, 37.12	Defining base rent; establishing rent increase limits; revising hearing procedures; increasing filing fees; and repealing termination clause.
4				
5	268-82	6/10/82	37.2, 37.3, 37.8, 37.9	Providing that RAP areas are subject to certain provisions of Section 37.7; and affording Rent Board jurisdiction to administer certain functions of the RAP program.
6				
7	421-82	9/1/82	37.2	Extending application of the Rent Ordinance to certain units which are regulated by the federal government.
8				
9	498-82	10/12/82	37.9	Providing increased protection for tenants against retaliation.
10				
11	111-83	3/11/83	37.2, 37.8	Subjecting RAP units to vacancy decontrol consistent with the Rent Ordinance.
12				
13	438-83	9/2/83	37.2, 37.3, 37.7, 37.8, 37.9	Transferring the certification of capital improvements, rehabilitation and energy conservation measures from the Real Estate Dept. to the Rent Board and authorizing the Rent Board to establish a filing fee, hire an estimator and conduct certification hearings; extending the time for mailing hearing officer findings; and modifying the definition of capital improvements.
14				
15				
16				
17	20-84	1/19/84	37.2, 37.6, 37.3, 37.10, 37.11, 37.13	Defining utilities and base rent; establishing new annual rent increase limitations; creating new civil remedies and criminal penalties. Repealing Section 37.3, 37.10, 37.11 & 37.13; adding Sections 37.3A, 37.10A & 37.11A; and renumbering Section 37.14 (severability) to 37.12.
18				
19				
20	425-84	10/18/84	37.9	Providing that a landlord who resides in the same rental unit with his or her tenant may evict said tenant without just cause.
21				
22	193-86	5/30/86	37.2, 37.9	Adding Section 37.9A to provide additional protections for tenants displaced when units are withdrawn from rent or lease.
23				
24	435-86	11/10/86	37.4, 37.8	Extending the Commissioners' appointment terms to 4 years; and increasing the filing fees.
25				
26				
27				
28				

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

<u>ORD. NO.</u>	<u>DATE SIGNED</u>	<u>RENT ORD. SECTIONS</u>	<u>AMENDMENTS</u>
7-87	1/15/87	37.6, 37.9	Providing for the compilation of certain eviction statistics; requiring the filing of certain eviction notices with the Rent Board; limiting the duration of evictions for capital improvements and rehabilitation and providing for payment of moving costs and advice regarding inspection of plans; requiring the District Attorney to investigate owner/relative occupancy evictions.
338-87	8/14/87	37.3(c), 37.3A	Prohibiting tenants who sublease their rental units from charging their subtenants a higher rent upon occupancy than that rent currently being paid by the tenants to their landlords; and renumbering Section 37.3A to 37.3.
278-89	8/2/89	37.7, 37.8	Eliminate filing fees.
30-91	1/22/91	37.9	Require at least 25% ownership before evicting a tenant for owner move-in.
102-91	3/21/91	37.3	To permit landlords to pass through to tenants 50% of the penalties for exceeding water allotments.
127-91	4/2/91	37.3, 37.8	Delete notification requirement of tenants about which rent increases are banked from prior years; establish mandatory time limits for filing of certain tenant petitions; establish time limits for appeals; establish time limits for judicial review, and to permit landlords or tenants to challenge rent payment, refund, offsetting or adding prior to their taking effect, and to correct clerical errors.
192-91	5/31/91	37.9	Clarify the definition of actual damages for wrongful recovery or attempted wrongful recovery of a rental unit to include damages for mental and emotional distress.
132-92	5/21/92	37.8	Provide that appeals to the Board must be filed on the next business day if the final day is a Saturday, Sunday or Legal holiday.
133-92	5/21/92	37.8A	Provide for a voluntary expedited hearing procedure for certain type of cases.
179-92	6/22/92	37.8	Provide that tenants may file petitions on the ground that a rent increase was null and void pursuant to 37.3 and that hearing officers may order the payment or refund of such increases to tenants.

	<u>ORD. NO.</u>	<u>DATE SIGNED</u>	<u>RENT ORD. SECTIONS</u>	<u>AMENDMENTS</u>
1				
2	221-92	7/14/92	37.8B, 37.2, 37.3, 37.9	Establish an expedited hearing for seismic work pursuant to Chapters 14 and 15 of the Building Code, establish applicability of the Rent Ordinance to these buildings, establish a 10% limitation on certain capital improvement passthroughs for seismic work and establish relocation expenses for demolition of buildings pursuant to Building Code Chapters 14 and 15.
3				
4				
5				
6	961-92*	12/8/92**	37.3	Remove the 4% minimum allowable increase.
7	(Prop. H)			
8	162-93	5/28/93	37.4, 37.7, 37.8, 37.11A	Establish a limitation of 5 years on the filing of capital improvements, to limit rent overpayments to 3 years and change the title of the Executive Director.
9				
10	233-93	7/22/93	37.2(p)(2)	Provide exemptions for dwelling units solely owned by a non-profit public benefit corporation.
11				
12	363-93	11/18/93	37.8, 37.11A	Limit the amount of rent overpayments hearing officers may refund due to null and void rent increases; also limits amounts recovered in Civil Actions.
13				
14	320-94	9/15/94	37.9A	Limit payments for relocation assistance to tenants in lower income households who are evicted pursuant to 37.9(a)(10), (Channing Amendment).
15				
16	1004-94*	12/22/94**	37.2, 37.12	Eliminate owner-occupied exemptions in 2-4 unit buildings.
17	(Prop. I)			
18	446-94	12/30/94	37.2(p)	Limit exemptions for elderly housing to residential care facilities licensed pursuant to CA. Health and Safety Code Chapters 3.2 and 3.3.
19				
20	88-95	4/7/95	37.12	Provide notice to owners and tenants in newly covered units as a result of the passage of Proposition I.
21	405-96	10/21/96	37.3, 37.9	Permit rent increases for lead remediation and create a 14th Just Cause Eviction for lead remediation work.
22				
23	482-97	12/30/97	37.9	Limits certain owner move-in evictions as they apply to seniors, disabled and catastrophically ill.
24	179-98	5/29/98	37.2, 37.3 & 37.8	To permit 100% passthrough of increases in property taxes due to bond measures approved between November 1996 and November 1998.
25				
26	239-98	7/17/98	37.9	Limits certain owner move-in evictions as they apply to seniors, disabled and catastrophically ill, with clarifying and technical changes.
27				
28	* Resolution			
	** Effective date of Ballot Proposition			

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

<u>ORD. NO.</u>	<u>DATE SIGNED</u>	<u>RENT ORD. SECTIONS</u>	<u>AMENDMENTS</u>
250-98	7/31/98	37.2, 37.3 & 37.9	Brings certain federally subsidized rental units under the Rent Ordinance for the purpose of defining base rent, limiting rent increases, and limiting evictions for just cause reasons.
293-98	10/2/98	37.9(a)(8), 37.9B 37.10A & 37.11A	Changes ownership requirement to 50% in certain cases, requires 36 months occupancy, prohibits certain evictions when comparable units are available, adds new notice requirements, relocation costs and discrimination penalties.
Prop. G	Effective 12/18/98	37.9(a)(8), 37.9(i)	Changes ownership requirement to 25% in certain cases. Permits only one owner move in eviction per building, allows domestic partners to aggregate interests for eviction purposes, limits relative move-ins, makes permanent the moratorium on the eviction of seniors, disabled and catastrophically ill.
237-99	8/30/99	37.2(g), 37.9(a)(2)	Provides that the right to have a specific number of occupants is a housing service; prohibits evictions due to subletting when a written request to do so has been unreasonably withheld.
347-99	12/30/99	37.2, 37.3, 37.5, 37.6, 37.7, 37.8, 37.8A, 37.9 and 37.10	Retitling of Hearing Officers to Administrative Law Judges.
348-99	12/30/99	37.9(a)(13), 37.9A, 37.9(a)(11)	Conforms the Ordinance with the Ellis Act provisions and amendments. Extends notice periods; requires Rent Board recordation of notice of constraints and other administrative functions; expands time to sue to three years.
5-00	1/14/00	37.9A	Increases the amount of payments to low-income tenants subject to Ellis evictions to \$4,500.00.
116-00	6/2/00	37.2, 37.3	Conforms the Ordinance to Costa-Hawkins Rental Housing Act (CA.Civil Code Sections 1954.50 Et Seq.) Note: This Ord. also amended the Rent Board Fee provisions, Admin. Code Chapter 37A, to require fee payment by those units exempt from rent increase limitations but still subject to eviction limitation provisions.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

<b>ORD. NO.</b>	<b>DATE SIGNED</b>	<b>RENT ORD. SECTIONS</b>	<b>AMENDMENTS</b>
Prop. H	Effective 12/21/2000*	37.2, 37.3, 37.3(a)(6), 37.3(b)(2), 37.7, 37.8A, 37.8B	Limits capital improvement passthroughs to either (a) seismic work or (b) non-seismic work necessary to obtain a fair return; changes amortization period to 20 years, limits annual increase to 5% of tenant's rent, and requires one who did seismic work to file petition. Requires bond passthroughs to tenants to be disclosed and approved by the voters and limits rent increases for increased operating and maintenance expenses to 7%.
29-01	4/1/01	37.8C	Imposes a moratorium on the processing of capital improvement petitions (except for seismic work) until the stay on Proposition H was dissolved (August 10, 2001).
135-01	8/5/01	37.9(a)(1)(2)	Prohibits a non-payment of visitor fee from being used as a just cause eviction.
Prop. H**	12/21/00***	36.3(a)(6), 37.3(b)(2)	Requires bond passthroughs to tenants to be disclosed and approved by the voters and limits rent increases for increased operating and maintenance expenses to 7%.
186-01	9/27/01	37.9(a)(1)	Imposes a six-month moratorium until Feb.10, 2002 for non-payment of capital improvement passthroughs approved by the Rent Board after April 10, 2000 when the petition was filed before August 10, 2001.
23-02	2/22/02	37.9	Extend until Feb. 10, 2002 the moratorium for non-payment of capital improvement passthroughs approved after April 10, 2000 when the petition was filed before Aug. 10, 2001.
57-02	5/03/02	37.9, 37.9B, 37.10A	Requires the Rent Board to record owner move in eviction notices with Recorder, eviction notices to be in writing, impose use restrictions regardless of any agreement, no waiver of rights unless tenant is represented by independent counsel in a court supervised settlement, bars clauses prohibiting a tenant from cooperating with a governmental investigation, requires sellers to provide written notice to buyers of legal grounds for termination of tenancy of any unit delivered vacant and conforms misdemeanor provisions to state law.

\* Prop. H was stayed by the Court in Quigg v CCSF, et al., on 12/20/00.

\*\* All other provisions of Prop. H were found unconstitutional and permanently enjoined by the court in Quigg v. CCSF, (Superior Court Case No. 3169281 on Aug. 10, 2001).

\*\*\* Effective date of Proposition H and the provisions left intact by the Court as of the 8/10/01 decision.















